



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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MAR 28 2002

REPLY TO THE ATTENTION OF

S-6J

Certified Mail
Return Receipt Requested

Donald A. Robbins
Director of Environmental Services
Asarco, Incorporated
2575 E. Camelback Rd., Ste. 500
Phoenix, AZ, 85016-4240

Re: Administrative Order on Consent V-W-97-C-419, July 28, 1997
Resumption of Removal Activities at the Circle Smelting Site
Beckemeyer, Illinois

Dear Mr. Robbins:

We are in receipt of your March 4, 2002, letter responding to our request for a date when the removal work at the Circle Smelting site (the Site) in Beckemeyer, Illinois, will resume this year. U.S. EPA requested that Asarco provide a clear commitment of intent to perform work at the Site and a date when this work would begin. Your letter fails to provide satisfactory answers to these requests.

There are conditions at the Site and within the Village that pose unacceptable health risks. The large on-site stock pile of contaminated soil is only minimally secured with "Soil-Loc" and will be prone to erosion through out the coming year. The soil eroding from the stockpile will contribute to the contamination of the adjacent land and, as the transported silt dries, create additional wind-blown dust health risks. In addition, large areas of contamination within the Village have yet to be addressed.

A significant percentage of the work has already been initiated, but your letter suggests that Asarco intends to abandon their obligations under the AOC. While I understand that Asarco is

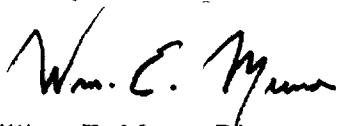
currently suffering financial difficulties, abandoning a half-completed removal action and leaving the public at risk is unacceptable. Asarco has a legal obligation to continue the work to its successful completion.

Based upon discussions with our oversight contractors, we feel that if Asarco has not returned to Beckemeyer to resume the Circle Smelter Removal Action by April 22, 2002, then it will be impossible for Asarco to complete the project in the time frame allotted it under the Administrative Order on Consent (AOC). This would be a violation of the AOC.

Therefore, the Agency is formally requesting that Asarco resume work on the Circle Smelting Removal Action by April 22, 2002, or respond to this letter by April 15, 2002, with an explanation of Asarco's intentions for compliance with the AOC and completion of the required work at the Site.

Please give this matter your immediate attention.

Sincerely,

A handwritten signature in black ink, appearing to read "Wm. E. Muno".

William E. Muno, Director
Superfund Division

cc: Dan Pastor, McCully, Frick, & Gillman
Fred Nika, Illinois EPA
Mike Collins, U.S. EPA-SFD
Larry Johnson, U.S. EPA-ORC
Zenny Sadlon, U.S. EPA-OPA
Joe Tieger, U.S. EPA-OECA
John Burke, CH2M Hill
File